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Dated: March 13, 2009  
Electronic Signature for Brian R. Tomkins: /Brian R. Tomkins/

**EXPEDITED PROCEDURE**

Group Art Unit: 3733

Docket No.: SPINE 3.0-447 CONT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Patent Application of :  
Ralph et al. :  
Application No.: 10/771,597 : Group Art Unit: 3733  
Filed: February 4, 2004 : Examiner: M. C. Hoffman  
For: INSERTION TOOL FOR USE WITH :  
INTERVERTEBRAL SPACERS

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**AMENDMENT UNDER 37 CFR § 1.116**

MS AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Madam:

In response to the Office Action dated November 13, 2008, finally rejecting claims 1-11, please amend the above-identified U.S. patent application as follows: